

03133.016500.1

PATENT APPLICATION

3724  
JFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	
FRED C. WEXLER ET AL.	)	Examiner: C.F. Dexter
Application No.: 09/965,834	)	TC/Art Unit: 3724
Filed: October 1, 2001	)	
For: CHANGEABLE COLOR	)	
SHAVING AID	)	October 1, 2004

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97 (c)  
AND SECOND REQUEST FOR ACKNOWLEDGMENT OF  
PREVIOUSLY FILED INFORMATION DISCLOSURE STATEMENT

Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56 and in accordance with the practice under 37 C.F.R. §§ 1.97 and 1.98, Applicants submit herewith copies of the papers that have been filed in the European Patent Office (EPO) in connection with an opposition filed by The Gillette Company against European Patent No. EP-B-773 855 (Application No. 95 923 8403), which is a counterpart of the subject U.S. application, as well as a copy of the EPO's decision. The papers are listed on the enclosed PTO-1449 form.

It is respectfully requested that the listed papers be considered by the Examiner and that an initialed copy of the PTO-1449 form be returned indicating that the papers have been considered.

Submitted herewith is a check for the fee of \$180.00 required under 37 C.F.R. 1.97(c)(2). Any deficiency or overpayment of this fee should be charged or credited to Deposit Account 06-1205.

Additionally, Applicants respectfully request acknowledgment of consideration of the information listed on the PTO-1449 form attached to the Information Disclosure Statement (IDS) submitted on December 18, 2002, and received in the U.S. Patent and Trademark Office (USPTO) on December 23, 2002, as indicated by data available from the USPTO's PAIR database. For the Examiner's convenience, attached is a copy of the previously filed IDS as well as a copy of its associated PTO-1449 form.

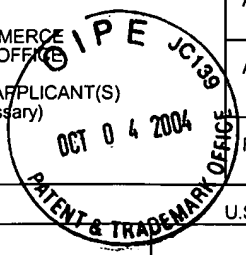
Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address given below.

Respectfully submitted,

A handwritten signature in black ink, reading "Lawrence F. Scinto". The signature is fluid and cursive, with a long horizontal stroke extending to the left.

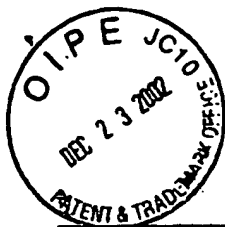
Lawrence F. Scinto  
Attorney for Applicants  
Registration No. 18,973

FITZPATRICK, CELLA, HARPER & SCINTO  
30 Rockefeller Plaza  
New York, New York 10112-3800  
Facsimile: (212) 218-2200

FORM PTO 1449 (modified)  U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE  LIST OF REFERENCES CITED BY APPLICANT(S) (Use several sheets if necessary)			ATTY DOCKET NO. <b>03133.016500.1</b>		APPLICATION NO. <b>09/965,834</b>		
			APPLICANT <b>FRED C. WEXLER ET AL.</b>				
			FILING DATE <b>October 1, 2001</b>		GROUP <b>3724</b>		
U.S. PATENT DOCUMENTS							
*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES/NO/ OR ABSTRACT
OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)							
	1	Decision of the Opposition Division of the European Patent Office (EPO) revoking European Patent No. 773 855 (dated 18 November 2002).					
	2	Patentee's notice of appeal to the EPO against the Decision of the Opposition Division (dated 23 December 2002).					
	3	EPO communication that the appeal has been assigned Case No. T0047/03-327 (dated 26 February 2003).					
	4	Patentee's Statement of Grounds of Appeal (dated 13 March 2003), which includes a Main Request; First to Sixth Auxiliary Requests; and Exhibits D40 to D44.					
	5	Patentee's letter to EPO enclosing Third Affidavit of Professor Helmut Ritter (dated 11 April 2003).					
	6	Gillette's submission in response to the appeal against the Decision of the Opposition Division (dated 6 October 2003), which includes Appendix I to Appendix IV and Exhibits D46 to D55 listed on page 53 of Gillette's submission.					
	7	Patentee's response to Gillette's October 2003 submission (dated 16 July 2004), which includes a Summary of Proprietor's Rejoinder to Gillette's Reply and Exhibits D56 to D60.					
EXAMINER				DATE CONSIDERED			

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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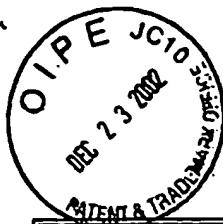


FORM PTO 1449 (modified)  U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE  LIST OF REFERENCES CITED BY APPLICANT(S) (Use several sheets if necessary)		ATTY DOCKET NO. <b>845.16500 CI</b>	APPLICATION NO. <b>09/965,834</b>
		APPLICANT <b>FRED C. WEXLER, ET AL</b>	
		FILING DATE <b>OCTOBER 1, 2001</b>	GROUP
OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)			
	1	Patentee's submission of Andrade's Affidavit and Exhibits, July/August 2000	
	2	Opponent's Observations on the Patentee's Submissions of May 16, 2000 and September 8, 2000, dated December 19, 2000	
	3	EPO Interim Opinion, dated January 19, 2001	
	4	EPO Summons to Attend Oral Proceedings Pursuant to Rule 71(1) EPC and Interim Opinion, dated September 19, 2001	
	5	Patentee's Submissions to the EPO, Claim 17 of the Auxiliary Request and Authorization authorizing D. Perkins to Represent Patentee, dated December 21, 2001	
	6	Opponent's Observations on the patentee's submission of July 10, 2001, dated December 21, 2001; Declaration of Michael J. Kwiecien dated December 18, 2001	
	7	Patentee's Response of 1/17/02 (with documents D31-D35)	
	8	Opponent's Response dated January 21, 2001	
	9	Opponent's submission of Abstracted Versions of TBA Decisions, dated January 23, 2001	
	10	Patentee's Amended Specification of Main Request; and Amended Specification of First Auxiliary Requested, dated January 28, 2002	
	11	EPO Minutes of Oral Proceeding of January 25, 2002, dated March 1, 2002	
	12	Patentee's inquiry re: 1 May 2002 deadline to submit cleanly typed pages of the presently pending requests, dated March 8, 2002	
	13	Opponent's Observations on the Patentee's newly filed Main Request and Auxiliary Request, dated March 20, 2002 with EPO transmittal dated April 4, 2002	
	14	EPO BRIEF COMMUNICATION enclosing copy of correspondence regarding the subsequent changes in representation	
EXAMINER		DATE CONSIDERED	

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U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		APPLICANT <b>FRED WEXLER, ET AL.</b>	
LIST OF REFERENCES CITED BY APPLICANT(S) (Use several sheets if necessary)		FILING DATE <b>OCTOBER 1, 2001</b>	GROUP <b>3724</b>
OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)			
	15	Summons to Attend Oral Proceedings Pursuant to Rule 71(1) EPC, dated April 26, 2002	
	16	Patentee's Submission of July 13, 2002 - Amended Claims (31a) and Affidavit of Prof. Fitter (31b)	
	17	Patentee's submission of Attendees re: oral proceedings on September 30, 2002, dated August 22, 2002	
	18	Opponent's Comments on Patentee's Submission of 7/30/02, dated August 30, 2002	
	19	Patentee's Comments on Opponent's Submission of August 30, 2002, dated September 5, 2002	
	20	Opponent's Comments on Patentee's Submission of September 5, 2002, dated September 10, 2002	
	21	Patentee's Comments on Opponent's Submission of September 10, 2002, dated September 13, 2002	
	22	Opponent's Comments on Patentee's Submission of September 13, 2002, dated September 23, 2002	
	23	Patentee's Communication regarding deletion of representative to appear at Oral Hearing scheduled for September 30, 2002	
	24	Patentee's Comments on Opponent's Submission of September 23, 2002, dated September 25, 2002	
	25	EPO Minutes of Oral Proceedings of September 30, 2002, dated November 18, 2002	
	26	Decision of EPO Opposition Board, dated November 18, 2002	
	27	Appendix to the EPO Opposition Board Decision dated, November 18, 2002	
EXAMINER		DATE CONSIDERED	

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